



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-9369-4]

Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1a and 1b of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a September 19, 2012 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2a of Unit II. and an October 7, 2010 **Federal Register** Notice of Receipt of Requests from the registrant listed in Table 2b of Unit II. to voluntarily cancel these product registrations. In the September 19, 2012 and the October 7, 2010 notices, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency did not receive any comments on the September 19, 2012 notice. The Agency received comments on the October 7, 2010 notice, but none merited its further review of the requests. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

DATES: The cancellations are effective [*insert date of publication in the Federal Register*].

FOR FURTHER INFORMATION CONTACT: John W. Pates, Jr., Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308-8195; email address: *pates.john@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. How Can I Get Copies of this Document and Other Related Information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone

number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. What Action is the Agency Taking?

This notice announces the cancellation, as requested by registrants, of 19 products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Tables 1a and 1b of this unit.

Table 1a--Product Cancellations

EPA Registration Number	Product Name	Chemical Name
002724-00622	Speer Py-Perm Aqueous Insect Killer #5	Piperonyl butoxide; Pyrethrins (No Inert Use); Permethrin
002724-00633	Speer Py-Perm Aqueous Insect Killer #9	Piperonyl butoxide; Pyrethrins (No Inert Use); Permethrin
007405-00073	Chemi-cap Flying & Crawling Insecticide II	Pyrethrins, Piperonyl butoxide, Permethrin
011678-00072	MCW Technical Diflubenzuron	Diflubenzuron
015300-00011	Chemical Treatment CT-202	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
015300-00022	Chemical Treatment CL-2158	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
015300-00023	Chemical Treatment CL-2159	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
047000-00169	R & M Flea & Tick Shampoo #3	Piperonyl butoxide, Pyrethrins
052867-00001	Microbiotrol 99W	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-

		1,2-ethanediyl dichloride)
066222-00059	Propiconazole Technical	Propiconazole
066330-00371	Tribenuron-methyl Technical	Tribenuron-methyl
070908-00003	NAC 20	Boric Acid
073049-00441	Dinotefuran 0.5% Cockroach Gel Bait Professional	Dinotefuran
073049-00442	Dinotefuran 0.5% Roach Bait Stations	Dinotefuran
073049-00443	Dinotefuran 0.2% Roach Bait Station	Dinotefuran
073049-00446	Shuriken Cockroach Gel	Dinotefuran
081343-00001	Mykrostat A-100	10,10'-Oxybisphenoxarsine
CA010023	Goal 2XL Herbicide	Oxyfluorfen

Table 1b--Aldicarb Product Cancellation

EPA Registration Number	Product Name	Chemical Name
264-330	TEMIK® brand 15G	Aldicarb

Tables 2a and 2b of this unit include the names and addresses of record for all registrants of the products in the Tables of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in the Tables of this unit.

Table 2a--Registrants of Cancelled Products

EPA Company Number	Company Name and Address
2724	Wellmark International, 1501 E. Woodfield Road, Suite 200, West Schaumburg, IL 60173
7405	CPC Aeroscience, Inc., P.O. Box 667770, Pompano Beach, FL 33066-7770
11678	Makhteshim Chemical Works Ltd., 3120 Highwoods Blvd., Suite 100, Raleigh, NC 27604
15300	Chemtreat, Inc., 5640 Cox Road, Glen Allen, VA 23060
47000	Chem-Tech, LTD., 4515 Fleur Dr., #303, Des Moines, IA 50321
52867	Chemical Equipment Labs, P.O. Box A, Havertown, PA 19083
66222	Makhteshim Agan of North America, Inc., 3120 Highwoods Blvd., Suite 100,

	Raleigh, NC 27604
66330	Arysta Life Science North America, LLC., 15401 Weston Parkway, Suite 150, Cary, NC 27513
70908	Grow More, Inc., Agent: RegWest Company, LLC., 8203 West 20th Street, Suite A, Greeley, CO 80634-4696
73049	Valent BioSciences Corporation, Environmental Science Division, 870 Technology Way, Libertyville, IL 60048-6316
81343	MyTech, Inc., 751 Queen Ann Street, Burlington, NC 27217
CA010023	Dow AgroSciences, LLC., 9330 Zionsville Rd., 308/2E, Indianapolis, IN 46268-1054

Table 2b--Registrant of Cancelled Aldicarb Product

EPA Company Number	Company Name and Address
264	Bayer CropScience, 2 T.W. Alexander Drive, P.O. Box 12014, Research Triangle Park, NC 27709

III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received no comments in response to the September 19, 2012 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellations of products listed in Table 1a of Unit II. The Agency received comments relating to alternatives and benefits of aldicarb use in response to the October 7, 2010 **Federal Register** notice announcing the Agency's receipt of the request for voluntary cancellation of the product listed in Table 1b of Unit II. The Agency does not believe that the comments submitted during the comment period merit further review or a denial of the request for voluntary cancellation.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Tables 1a and 1b of Unit II. Accordingly, the Agency

hereby orders that the product registrations identified in Tables 1a and 1b of Unit II. are canceled. The effective date of the cancellations that are the subject of this notice is *[insert date of publication of this cancellation order in the **Federal Register**]*. Any distribution, sale, or use of existing stocks of the products identified in Tables 1a and 1b of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** on September 19, 2012 (77 FR 58134) (FRL-9361-1), and October 7, 2010 (75 FR 62129) (FRL-8848-1). The comment periods closed on October 19, 2012, and November 8, 2010, respectively.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

A. For All Products Listed in Table 1a in Unit II.

The registrants may continue to sell and distribute existing stocks of products listed in Table 1a of Unit II. until [*insert date 1 year after publication of the Cancellation Order in the **Federal Register***], which is 1 year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1a, except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1a of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

B. For the Product Listed in Table 1b in Unit II.

Per a Memorandum of Agreement (MOA) between the Environmental Protection Agency and Bayer CropScience (Bayer) dated August 16, 2010, Bayer may only sell existing stocks of the product listed in Table 1b of Unit II. labeled for use on citrus and potatoes for export consistent with the requirements of FIFRA section 17 or for purposes of proper disposal.

Bayer may only sell or distribute Temik 15G end-use products permitting use on cotton, dry beans, peanut, soybean, sugar beets, and sweet potatoes until December 31, 2014. After that date, Bayer may only distribute such products intended for export consistent with the requirements of FIFRA section 17 or for purposes of proper disposal.

Sale and distribution of Temik 15G labeled for use on cotton, dry beans, peanut, soybean, sugar beets, and sweet potatoes by any other party is permitted until December

31, 2016, and thereafter only for purposes of proper disposal or export consistent with the requirements of FIFRA section 17.

Existing stocks of the Temik 15G labeled for use on cotton, dry beans, peanut, soybean, sugar beets, and sweet potatoes may be used until August 31, 2018, provided that such use is in all respects consistent with the previously approved label, and labeling accompanying the product.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: November 15, 2012

Richard P. Keigwin, Jr.,

Director, Pesticide Re-evaluation Division, Office of Pesticide Programs.

[FR Doc. 2012-30433 Filed 12/18/2012 at 8:45 am; Publication Date: 12/19/2012]